

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ELSY GARCIA DE MIRA, individually,  
and on behalf of all others similarly  
situated,

Case No. 12-cv-04092 LHK

**JUDGMENT AND DISMISSAL**

Plaintiff,

v.

HCR MANORCARE; HCR  
MANORCARE MEDICAL SERVICES  
OF FLORIDA, LLC; MANOR CARE,  
INC.; and DOES 1 through 10, inclusive,

Defendants.

1 PURSUANT TO THE ORDER GRANTING FINAL APPROVAL OF CLASS ACTION  
2 SETTLEMENT ENTERED ON MARCH 13, 2014, IT IS HEREBY ORDERED, ADJUDGED  
3 AND DECREED AS FOLLOWS:

4 1. The Revised (October 2013) Class Action Settlement Agreement And Stipulation  
5 ("Settlement Agreement"), previously submitted and on file (ECF No. 57-1), shall be incorporated  
6 into this Judgment as though all terms therein are set forth in full. The capitalized terms in this  
7 Judgment shall have the meanings set forth in the Settlement Agreement.

8 2. All claims asserted in this Action by the Named Plaintiff Elsy Garcia De Mira and the  
9 Plaintiff Class Members shall be and hereby are DISMISSED WITH PREJUDICE. Except as set  
10 forth in the Settlement Agreement, each party is to bear her/its own attorneys' fees and costs. All  
11 Class Members who did not timely opt out from the Settlement are permanently enjoined from  
12 pursuing, or seeking to reopen, any of the Settled Claims, as defined in the Settlement Agreement.

13 3. Without affecting the finality of the Judgment, the Court shall retain exclusive and  
14 continuing jurisdiction over the above-captioned Action and the Parties, including all Class  
15 Members, for purposes of supervising, administering, implementing, enforcing, and interpreting the  
16 Settlement Agreement and the Final Approval Order.

17 4. The Clerk shall close the file.

18 **IT IS SO ORDERED.**

20 Dated: March 13, 2014

21   
22 LUCY H. KOH  
UNITED STATES DISTRICT JUDGE